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REMINDERS!



- ☒ Anything said during this Conference today does not change the BAA.
- ☒ Any conflict between what is said today and the BAA will be resolved in favor of the BAA.
- ☒ If there is a need to change the BAA as issued, it will be done via amendment to the BAA



FCS Communications

Acquisition Strategy



Proposers are permitted to propose any type of agreement, e.g. a contract, grant, cooperative agreement, other transaction etc., in response to this BAA.

However, ARL intends to make maximum use of the authority of 10 U.S.C. 2371, as supplemented by section 845 of Public Law 103-160, as amended by Section 804 of Public Law 104-201 and Section 241 of Public Law 105-261 (*OT for Prototypes.*)



OT for PROTOTYPES



- What does this authority do for you?

- Relief from FAR and supplemental regulations
- Flexibility to use “best” practices

- What doesn't apply to OT for Prototypes?

- Competition in Contracting Act (CICA)
- Truth in Negotiation Act (TINA)
- Contract Disputes Act
- Procurement Protest System
- Procurement Integrity Act
- Buy American Act (in part)



OT for PROTOTYPES



- Some laws still do apply
 - Criminal laws (false claims/statements)
 - Federal fiscal laws
 - Laws of general applicability (e.g. Title VI, Civil Rights Act)
 - General laws for doing business in the US, e.g. environmental laws, import/export control)



OT for PROTOTYPES BENEFITS



●FASTER

- Program Initiation to award in 60-90 days
- Fewer Terms and Conditions result in simpler negotiations
- Better communications with offerors
- No need to seek waivers/deviations

●BETTER

- Flexible teaming arrangements permitted
- Allows concurrent investment of corporate funds
- Innovation in patent/data rights
- Permits the use of commercial practices



FCS Communications BAA



Expected 845 benefits

- Attract new commercial companies with new and advanced technologies
- Receive innovative technical practices
- Receive innovative business arrangements



FCS Communications

BAA

Cost Sharing



- Cost sharing is encouraged, but not required
- Proposed cost sharing will be included in the evaluation of proposals received
- Any cost sharing will be documented in the resulting agreement



FCS Communications

Award Schedule



EVENT

TIMEFRAME

Proposals Due

21 November 2000

**Evaluation of Proposals Complete
December 2000**

Late

Final Negotiations with Awardees

January 2001

AWARD of Agreements

30 January 2001



FCS Communications BAA *Proposal Instructions*



- Read the BAA when issued (which includes PIP and Model Agreement)
- PIP contains details concerning proposal preparation
- Model Agreement is provided and should be reviewed and commented on with proposal submission

